

Dated: March 19, 1997.

William L. Osteen,

Associate General Counsel and Assistant Secretary.

[FR Doc. 97-7447 Filed 3-20-97; 11:07 am]

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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. WTO/D-12]

WTO Dispute Settlement Proceeding Regarding Section 609 of Public Law 101-162

AGENCY: Office of the United States Trade Representative.

ACTION: Notice; request for comments.

SUMMARY: The Office of the United States Trade Representative (USTR) is providing notice that the governments of Malaysia, Thailand, Pakistan and India have requested the establishment of dispute settlement panels under the Marrakesh Agreement Establishing the World Trade Organization (WTO) to examine certain measures of the United States pursuant to Section 609 of Public Law 101-162 (Section 609). Section 609 is intended to promote the conservation of certain sea turtle species by restricting the importation of shrimp or shrimp products harvested by methods harmful to sea turtles.

DATES: Although USTR will accept any submissions received during the course of the dispute settlement proceedings, comments should be submitted on or before April 15, 1997 to be assured of timely consideration by USTR in preparing its first written submission to the panel.

ADDRESSES: Comments may be submitted to Ileana Falticeni, Office of Monitoring and Enforcement, Room 501, Attn.: Dispute Regarding U.S. Sea Turtle Conservation Law, Office of the United States Trade Representative, 600 17th Street, NW, Washington, DC 20508.

FOR FURTHER INFORMATION CONTACT: Laura Kneale Anderson, Director for Trade and Environment, (202) 395-9590, or William L. Busis, Associate General Counsel, (202) 395-3150.

SUPPLEMENTARY INFORMATION: At the meeting of the WTO Dispute Settlement Body ("DSB") held on February 25, 1997, a panel was established to examine claims of the governments of Malaysia, Thailand and Pakistan with respect to U.S. sea turtle conservation measures pursuant to Section 609. The European Communities and the governments of Australia, Colombia,

Guatemala, Hong Kong, India, Japan, Mexico, Nigeria, Singapore and Sri Lanka indicated their interest to participate in the dispute as third parties. Members of the panel are currently being selected. Under normal circumstances, panels are expected to issue reports detailing their findings within six to nine months after a panel is established.

By letter dated February 25, 1997, the government of India requested the establishment of a panel to examine claims of the government of India with respect to U.S. sea turtle conservation measures pursuant to Section 609. The request of the government of India for the establishment of a panel is on the agenda for the next meeting of the DSB, scheduled for March 20, 1997.

Major Issues Raised by Malaysia, Thailand, Pakistan, and India, and Alleged Legal Basis of Complaint

The government of Malaysia, Thailand, Pakistan and India have asserted that U.S. measures affecting the importation of shrimp pursuant to Section 609 are inconsistent with U.S. obligations under the Marrakesh Agreement Establishing the World Trade Organization, including the General Agreement on Tariffs and Trade 1994 (GATT). In particular, they assert that the U.S. measures are inconsistent with at least (a) GATT Article XI:1 (regarding prohibitions or restrictions on imports); (b) GATT Article I (regarding most-favored-nation treatment); and (c) GATT Article XIII:1 (regarding the non-discriminatory application of import restrictions or prohibitions).

Requirements for Comments

Interested persons are invited to submit written comments concerning the issues raised in the dispute. Comments must be in English and provided in fifteen copies. A person requesting that information contained in a comment submitted by that person be treated as confidential business information must certify that such information is business confidential and would not customarily be released to the public by the submitter. Confidential business information must be clearly marked "BUSINESS CONFIDENTIAL" in a contrasting color ink at the top of each page of each copy.

A person requesting that information or advice contained in a submission by that person, other than business confidential information, be treated as confidential in accordance with section 135(g)(2) of the Trade Act of 1974, as amended (19 U.S.C. 2155(g)(2)):

(1) must so designate that information or advice;

(2) must clearly mark the material as "SUBMITTED IN CONFIDENCE" in a contrasting color ink at the top of each page of each copy; and

(3) is encouraged to provide a non-confidential summary of the information or advice.

Pursuant to section 127(e) of the URAA (19 U.S.C. 3537(e)), USTR will maintain a file on this dispute settlement proceeding, accessible to the public, in the USTR Reading Room: Room 101, Office of the United States Trade Representative, 600 17th Street, N.W., Washington DC 20508. The public file will include a listing of any comments received by USTR from the public with respect to the proceeding; the U.S. submissions to the panel in the proceeding; and the submissions, or non-confidential summaries of the submissions, to the panel received from other parties to the dispute, as well as the report of the dispute settlement panel and, if applicable, the report of the Appellate Body. An appointment to review the file (Docket No. WTO/D-12, "U.S. Sea Turtle Conservation Law") may be made by calling Brenda Webb at (202) 395-6186. The USTR Reading Room is open to the public from 9:30 a.m. to 12 noon and 1:00 p.m. to 4:00 p.m., Monday through Friday.

A. Jane Bradley,

Assistant U.S. Trade Representative for Monitoring and Enforcement.

[FR Doc. 97-7361 Filed 3-21-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Aviation Proceedings; Agreements Filed During the Week Ending 3/14/97

The following Agreements were filed with the Department of Transportation under the provisions of 49 U.S.C. 412 and 414. Answers may be filed within 21 days of date of filing.

Docket Number: OST-97-2208.

Date filed: March 12, 1997.

Parties: Members of the International Air Transport Association.

Subject: COMP Telex Reso 024f—Botswana, Local Currency Fare Changes, Intended effective date: upon government approval.

Paulette V. Twine,

Chief, Documentary Services.

[FR Doc. 97-7323 Filed 3-21-97; 8:45 am]

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